

Indian Policy Advisory Committee  
October 9, 2008

Present: See Sign In Sheet

Jim Sijohn gave the invocation, and then everyone present introduced themselves. Liz spoke about the economy and its impact on the Tribes

**Economic Services Administration (ESA)**

Troy Hutson, Assistant Secretary

Troy said he looks forward to working with IPAC to improve the way ESA provides services and to fashion solutions to the challenges facing us, especially now during these tough economic times.

Troy provided updates and listed some recent ESA accomplishments, which include the renewal of Tribal TANF contracts with two tribes. Upcoming contract negotiations in 2009 will include the Spokane Tribe of Indians and Quinault Indian Nation. ESA is negotiating with SPIPA, which intends to expand services to all Indians on the Puyallup reservation starting in February 2009. He will attend a Tribal TANF signing ceremony with Nooksack later this month.

Five tribes have Tribal Child Support programs. The Division of Child Support's (DCS) strategic plan includes two tribal specific initiatives, including information sharing with tribes that don't have child support programs. ESA plans to build a Tribal Child Support Internet payment system that will make it easier for tribal programs and tribal employers to electronically send child support payments. This has been well received by tribes operating Tribal Child Support programs.

DCS and the State Tribal Relations Office (STRO) have agreements with three tribes to share employment-related information. DCS is working with three tribes to perform federal offsets on Tribal Child Support and Tribal TANF cases, which would include attaching federal tax returns of non custodial parents.

ESA needs strong support and representation in key decision making areas and plans to involve tribes early in discussions. Troy asked for assistance to find tribal representatives for two committees. The Economic Services Advisory Committee (ESAC) needs a volunteer to replace Rosi Francis, and the Customer Services Advisory Committee, which advises the Customer Services Division (CSD), is also seeking tribal representation.

The Tribal TANF WAC development workgroup met several times. Then in August, there was concern from some tribes about the scope of the WAC and its effect on sovereignty. Last month Troy sent a letter to tribal chairs, and based on the feedback from the tribes, ESA and tribal representatives will move forward with WAC development in early December.

Related to the tribal eligibility pilot with Port Gamble S'Klallam Tribe, CMS has approved the Medicaid state plan amendment, and issues about providing services for non natives at the pilot site have been resolved. Draft agreements have gone to USDA for their approval and CMS has requested a separate contract for administrative cost reimbursement.

Troy asked for input to improve work participation in WorkFirst. If federal requirements aren't met, the state must pay significant penalties for not meeting targets. He wants to hold discussions with Tribal TANF tribes to understand what they do to move clients to self sufficiency. He suggested ESA may be able to use some of the ideas for the state TANF program.

Troy discussed a new initiative to reach tribal members who live near or on reservations and in urban areas in an effort to improve services to those communities. He said Washington leads the nation in the number of Tribal TANF programs with eleven programs comprised of thirteen tribes.

ESA is working to enroll more people in the Basic Food program. It currently serves about a half million people in Washington state, but the participation rate is only about 68%. Increasing participation to 100% would mean an additional \$260 million coming into the state.

On October 1, eligibility criteria for the program changed from 130% to 200% of the federal poverty level. ESA is already seeing a 23% increase in applications in some offices. Troy welcomes the opportunity to partner and do food stamp outreach. In the IPAC packets are samples of brochures for the outreach campaign.

ESA is looking to find ways to improve service delivery and customer service, making them more efficient. They are reviewing systems from how they do outreach to case management. One idea is to conduct intake closer to where potential clients are; the eligibility pilot at Port Gamble is a good example.

In an effort to reduce hunger and build strong communities, Troy wants to strengthen work with partners and communities. ESA's relationship with the tribes is a good start, but Troy thinks there are more ways to improve in working with the people of Washington State. He looks forward to working with IPAC and thanked his staff and the subcommittee members for their work, and Colleen and her staff for their help and guidance.

Marilyn O. discussed the Basic Food program at Port Gamble S'Klallam Tribe. She recommends coordination with Tribal TANF tribes to conduct Basic Food eligibility.

Marilyn S. said she likes the idea of the Tribal TANF WAC workgroup meeting during the ESA Subcommittee day. She asked if Troy had gotten any comments from the tribes, and said it's important that TANF tribes work with the state to develop the WAC. Troy thanked the tribes for their comments and will proceed with the development in partnership with the tribes.

Sarah Colleen Sotomish thanked Colleen and the IPAC Executive Committee for supporting working together to develop the Tribal TANF WAC. She said complaints had been withdrawn and the subcommittee will proceed to develop the WAC.

Liz Mueller related a conversation during which she and Jim Sijohn explained the purpose of the work, as well as the IPAC protocols and Government to Government work. Jim asked Liz and Colleen to put him on their mailing list and said the Spokane Tribe looks forward to working on this issue with the TANF tribes, saying in the past tribes were not included in WAC development and always learned about it after the fact. He appreciates being in the process. He also said ATNI had passed a resolution that the tribes would work with the state to develop the WAC.

Toni Lodge thanked Troy for the CSO worker stationed at the N.A.T.I.V.E. Project. In August, the Spokane CSO hired a Native American worker, who in September conducted forty-six new intakes.

Glynnis Ashley is the Food Programs Administrator at the CSD, and is the contact for tribes wanting to pursue Basic Food outreach. Liz said at one time the ESA Assistant Secretary and administrators like Glynnis would attend 7.01 meetings, which was very helpful. She misses meeting with Program Administrators. Troy said his initial visits are to meet with staff; future travel will be to meet with communities.

June O'Brien asked about the status of developing wording for the treatment of tribal income in eligibility determinations for cash, medical and food assistance programs. Troy said DSHS decided to pursue the project department wide because it affects all administrations. A workgroup comprised of staff from affected DSHS Administrations has completed an internal review of pertinent WAC and federal policies, and is now ready to invite the tribes to work on definitions. The workgroup also looked at the federal regulations for consistency. The department will contact Tribal Leaders in the next month to request participation.

John S. asked about roles and responsibilities for the ESAC. The committee provides input and recommendations to ESA leadership on a variety of key issues and policies that address the human service needs of Washingtonians, and affect the design, scope and reach of ESA programs and services. John volunteered to join the committee.

Ronda Metcalf volunteered to join the CSD Customer Services Advisory Committee, which meets quarterly. Their current priority is to look at service delivery related to outreach, eligibility and service discontinuation.

### **Roll Call**

Jennifer called the roll, asking those present to answer with their name and whether they were the delegate or alternate for their tribe. A quorum of 18 was present.

Cheryl Miller moved and Gwen Gua seconded that elections be held before lunch. The motion carried.

### **Aging and Disability Services Administration (ADSA)**

Kathy Leitch, Assistant Secretary

Kathy said one of the important reasons for the AAA meeting held in early September was the opportunity to learn about the array of services available that would assist tribes to serve their elders at home. The Department has completed 7.01 plans for a long time, but it became apparent the Area Agencies on Aging (AAA's) also needed to be in the process. The Tribes and AAA's have committed to meet twice a year.

Most of the AAA's and more than half the tribes were at the September meeting. They discussed basics, why we do 7.01, the Centennial Accord issue and why DSHS wants ongoing dialogue between tribes and AAA's. Dr. Yvonne Jackson from the Federal Administration on Aging was there to present, and there was time in the afternoon for the tribes and AAA's to discuss what is needed to serve tribal elders. Kathy said elders don't always avail themselves of the benefits available to help improve their quality of life. These benefits are very important, especially in the current economic situation.

Kathy said what an honor it was to host the NICOA conference in our state, saying ADSA participated financially. She remarked about how wonderful and fascinating it was to see people from all over the country, many of whom were in traditional clothing. She saw people in less than good health but who were still able to travel long distances to this important event. She congratulated Colleen on putting the conference together.

Jennifer LaPointe asked Colleen and her staff to stand up. She had gone to the first day of the conference and noticed Colleen and her staff making people comfortable, passing out lanyards, and representing the Tribes of Washington well while the visitors waited to check in. Liz commented that the work IPSS did all year long and to get people involved was exceptional. She was glad Colleen and her team were also able to assist with onsite registration.

Kathy said ADSA recently had to withdraw the AAA designation from one AAA that served five counties in southwestern Washington. It was a difficult and drawn out process, but in the end the federal Administration on Aging upheld Washington's decision. Currently the state is running the AAA while the new sponsor is selected. ADSA has received petitions from a 5 county Council of Governments to become the sponsor for the AAA. Hopefully the new AAA will open for business by January 2009.

Washington recently received credit from AARP, which is benchmarking states that develop comprehensive home and community based long-term care systems; Washington was in the top five. Forty-six percent of ADSA's budget goes to nursing home care, while other states invest sixty to eighty percent. Kathy commented the national statistics show the number of people aged 85 or better with deficits who need to use a nursing home is reducing. Washington also placed well in another report from Lewin that looked at the availability of home and community based services.

Supported employment is a program offered in the Division of Developmental Disabilities (DDD); a handout was included in the packets. Supported employment helps people with disabilities live in the community by helping them gain employment after high school. Supported employment helps provide transition from school to work, and some people need more assistance than others to gain employment. Eligibility, funding and programs are not entitlements so there are waiting lists. Some elements are Medicaid supported, others have state only funding. The handout in delegates' packets shows different tribal designations and the number of clients in the system by tribe and age. DDD has had initial meetings with some tribes to talk about its working age adult policy and is working with IPSS staff to arrange more meetings with tribes.

Jim Sherrill asked if there was any interest from the division to work with tribes to provide the service. Kathy said they currently contract with counties, but she is willing to talk to counties about tribes becoming providers.

Liz said DDD staff have not visited tribes in the past few years.

The matrix shows that all counties were informed about the 7.01 plan and policy. Region 3 has 7.01 meetings with AAA's and DDD, but there hasn't been much communication between county representatives and the tribes about 7.01. Marilyn S. asked if the counties were aware of the 7.01 plans. Kathy agreed ADSA needs to do more work on this. Counties with DDD contracts are not yet required to do 7.01 plans; they contract to provide employment, day program and child development services.

Toni said patients have asked where to buy long term care insurance. Governor Gregoire sent a letter in 2007 to households with elder people who might need the insurance. Kathy said people need to be informed of long term care issues. Each person has a different situation and long term care insurance might be available for people who can afford it, but it should not be sold to people on Medicaid. ADSA will distribute the insurance commissioner's website (<http://www.insurance.wa.gov/>) and information to IPAC.

Ronda said many tribal elders don't live on tribal land so when an elder is abused the tribe cannot intervene. She asked for an update on this issue. Kathy agreed to find out, saying we can continue to work on legislation to get this resolved.

Marilyn S. said the American Indian Healthcare Association (AIHC) was preparing for the Tribal Health Summit, and that Director Cheryl Lowe was working to develop a position paper with tribes and state representatives on long term care. She said they would be interested in working with someone from ADSA and asked about state services that are available and who to contact. Kathy said she or Bill Moss would work with them. AIHC is also doing a demonstration project on chronic disease self management, which might be another way prevent the need for long term care.

On the Insurance Commissioner's website, under Quick Links, there is a section for consumers shopping for insurance, and it also has specific information on Long Term Care insurance.

### **Children's Administration (CA)**

Cheryl Stephani, Assistant Secretary

Cheryl brought some of her Division Directors to the meeting. Randy Hart is currently the director for field operations; Dawn Tatman is the director for technology services and is working on FamLink in order to go live in December. Rich Pancook is the fiscal director.

On October 7 President Bush signed HR6893, related to adoption increases. It has nice provisions but it remains to be seen how it will be interpreted when it is implemented. Cheryl is working with the AAG about corresponding or authorizing state legislation. IV-E is slightly delayed. The Kinship Support Program is improving permanency relationships by supporting kinship guardianship placements without having to be adoption. It has been licensed but there have been changes in licensing related to kin. If there is no safety issue there is a different way to license kin.

Rich Pannkuk discussed the budget. On August 29, CA submitted its budget to OFM. He provided a page outlining the requests, which include maintenance level and policy level items. The maintenance level, which would maintain the current level of services, needs \$49.5 million. The policy level request is for \$11.9 million. CA is asking to pilot with tribal communities to assess and address service and case management gaps. They should end up with a relatively good baseline on service availability, both on and off reservations.

Liz stated, in regard to evidence based practice, when we look at NA populations, the evidence has not always been inclusive. The question is how to identify and develop systems that work. Partners for our Children is looking at native populations and programs that work well. What works in one tribal culture might not work well in others, so they also need to look at that.

Toni is on the Disproportionality Committee with Liz, where they have developed some guidelines. She said eight years of evidence based programming have not reduced disproportionality. Evidence based practices should show a reduction in this area before being introduced.

Marilyn Olson said during the consultation about redistributing ICW dollars, it became apparent that the largest tribes received less money per child than the smaller tribes did. Marilyn thought there were going to be efforts to give more to those larger tribes (base and per child). Marilyn said she didn't see that on this budget. Cheryl and Nancy will review the consultation transcript.

Ronda sees more money in the budget for placement and adoptions, but not for services to keep children in homes with their families. She stated the need to invest in helping

families keep their children at home by looking at training and hiring people who want to do the work.

Cheryl said much of the budget is federally driven, but Children's has HHS that working to keep kids in their homes needs to be a priority. CA has worked on family engagement strategies, getting additional resources around up front family services and supporting relatives who were helping, which isn't in this budget but is in the existing service budget. She agreed on the need to keep kids in homes with the skills to make a successful family.

Jennifer said it is hard to limit expectations when it comes to children. She knows the tribes will have limited manpower and asked to also limit administrative tasks. She also asked for support for kinship care. She said changing birth certificates is a big issue in adoption; removing birth parents from birth certificates is the issue.

Rebecca Peck commented on the budget inclusion of disproportionality, which had no monetary value. Rich explained it was only a placeholder and that they were waiting for the remediation report, due in December, before assessing the monetary need.

Jim Sherrill discussed the ICW Case Review, saying he hasn't seen any evidence that the results of the review are getting down to first line workers and supervisors. He asked Cheryl how the RA's thought they are doing. He advocated for Administrators to attend LICWAC, which has happened, but he still hadn't seen individual workers or supervisors familiar with either the outcome or the plan. Cheryl agreed to put that on agenda for next meeting with her administrators. Liz expressed her dismay at having to train the local case workers in her area, saying things will not change if the information and training don't get to the workers.

Cheryl said there was a hiring freeze for non-case carrying direct services staff, but agreed the communication needed to flow all the way down the chain of command. There is also now the need for fewer staff to continue to do the work.

Dawn Tatman said CA is in the final stages of replacing CAMIS with FamLink. They are doing final conversion work, training and testing, and are planning to go live in December. It should reduce the technical difficulties currently in CAMIS. Tribes will have access to FamLink in January, and the end target is October 2009. The two programs will not overlap. CA is assessing how many people are using CAMIS, saying only five people have used it and none since July. If their information about who is accessing system is incorrect they need to know. Nancy will be the conduit for this information.

Jonette said she is not using it because by the time they were contacted about training, CA was changing to FamLink. She asked who to contact for training. Cheryl said Children's would work with tribes in each region for the planning committee, training and access starting in January and continuing through the first quarter.

Marilyn Olson said it is critical to use proper coding in order to get reimbursement. Cheryl committed to meet with Marilyn and the tribes to make sure the coding issue is addressed.

Randy Hart said he was happy to see so many familiar faces. Region 3 does not have an Acting RA right now and the duties being handled by Greg Dootson and Yen Lawlor. Randy appreciates people contacting him when the arrangement in Region 3 is not working. There was discussion about some issues in Region 3, including tribes not being included in work for the disproportionality recommendations, the lack of an ICW worker for over a year, and the number of children in placement who were not getting timely services, assessments and payments. Cheryl said tribes could call her, Nancy or Randy with problems and all must commit to being persistent to get problems solved.

Deborah Purce is the DSHS representative to the statewide Disproportionality Committee. The Committee has issued a report and is working on remedial plans to be sent to the legislature by December 1. The committee has provided information to the tribes about the findings of the report. The primary finding is that Native children are overrepresented in great numbers across the state. Toni said as dismal as the picture is for Native American children overall, the off reservation children have it the worst of all.

Liz said the committee was asked to fast track the remediation report due to budget issues so they hope to have the plan done by November 1. The six regions came to the committee to report, and then there was a childcare conference where they received more information for the plan. With that they met with the ICW subcommittee October 8 to get additional feedback.

There are seven different issues where disproportionality occurs, but the three top issues were mandatory reporting, the decision making point and long term foster care placement. Three subcommittees are collecting information and working to prepare the two highest priorities for submission with the budget needs. This doesn't mean the rest of the priorities won't be presented, but the top priorities need to be named for the legislative budget process.

The Long Term Foster Care (over 2 yrs) workgroup will meet on October 22 at the N.A.T.I.V.E. Project in Spokane. They will then work to get a product for DSHS Secretary Robin Arnold-Williams to review in order to meet the legislative deadline.

One concerning issue is that services exist but families are not getting them. Subcontractors need to be accountable for reporting the services they provide to children of color. Contractors might not be following the 7.01 plan, and should be accountable.

There was discussion about the remediation plan and whether evidence based practices were discussed. Given the amount of research being conducted at northwest colleges and universities, their work product would be more relevant than any from other states when it applies to local tribes. Best practice was not mentioned.



Deborah Purce reported the committee has a research subcommittee shared by Dr. Crowfoot and Dr. Marian Harris, both experts in the arena. They will look at the recommendations before submitting the remediation plan.

Cultural competency is discussed when meeting with service providers, regional staff and community members. Cheryl suggested using grant funding to address the competence of service providers.

Marilyn stated her belief that the policy level priorities in the budget level request is proof the CA subcommittee is working. She offered her congratulations to the subcommittee and her thanks to Cheryl for listening as issues are brought forward. Liz pointed out how lucky we are to have Cheryl, Blake and Robin, who so actively work with the tribal leaders.

Jonette announced that Hoh Tribe had worked to obtain land from DNR, Olympic National Park and Rainier, met with Representative Norm Dicks, and now has a bill in congress, HR7773, to put the land in trust for Hoh. She thanked IPAC for bringing the information to the table. Rep. Dicks will go to Hoh to participate in honoring and blessing the land. Jonette invited the delegates to the ceremony October 15 at 10:00 a.m.- 12:00 p.m. at Hoh's Tribal Center. Rep. Dicks and Lynn Kessler will also attend. The next event will be from 2:00 p.m. to 3:00 p.m. at the Red Lion, and at 3:00 p.m. – 5:00 p.m. there will be a reception for Rep. Dicks at Port Angeles.

### **Election**

Colleen presented a certificate to Liz Mueller, thanking her for serving as IPAC Chair for the past two years. She also had one for Helen Fenrich, who was not able to attend.

Jim Sijohn nominated Liz Mueller for the Chair position, saying he had worked with her for many years and respects her. He said she had done an excellent job as Chair, and he has lots of faith and trust in Liz. Rebecca seconded the motion. Gwen Gua moved to close the nominations, Ronda seconded the motion. The motion carried and Liz was elected by acclamation.

Liz thanked the delegates, saying she knows she can call on them for their support, and that she appreciates them.

Jennifer LaPointe nominated Helen Fenrich for Secretary, Gwen Gua seconded. John Stephens moved that nominations close. It was seconded and the motion passed.

For Member at Large, Rebecca nominated Gwen Gua, Cheryl Miller seconded the motion. Jim Sijohn nominated Marilyn Scott and John and Ronda seconded the motion, but Marilyn declined the nomination. John moved nominations close, Jonette seconded and Gwen was elected by acclamation.

## **Family Policy Council**

Liz introduced Sasha Silveanu from the Family Policy Council. Sasha is working with tribes and Tribal networks. She worked over the past year to focus on youth violence prevention and health networks across the state. There are five tribal networks, Tulalip, Colville, SPIPA, Port Gamble and Jamestown. Ten tribes initially petitioned to apply for networks. Lummi, Nooksack, Kalispel, Yakama, Spokane could all reactivate if they choose. Sasha would be happy to discuss petitions with anyone who asks (360-902-7887 or [silveaj@dshs.wa.gov](mailto:silveaj@dshs.wa.gov)). The five current tribes will meet November 8 at Tulalip.

## **Budget**

Stan Marshburn, Chief Fiscal Officer

Stan provided a handout related to state and DSHS spending. He explained the state budget has been fueled by a “bubble” in the real estate market. In the early to mid 2000’s property values climbed, loans were easy to get, and there was a lot of real estate activity. The significant increase in state revenue came from real estate excise tax, but the rest of the state revenues were flat. The bubble has burst and the result is fewer dollars in the economy. Now the markets are dropping and the economy is flat, besides. Slow revenue growth in June tightened even more, and in September it dropped even farther. So the current question is when growth might happen.

To build a biennial budget to carry twenty-four months forward, we need to plan on how much revenue the state will collect in the next three years. DSHS submitted a budget to OFM on August 29, which they had worked on it since April. Now that the deadline approaches, we will see planning activity from the programs.

Stan reviewed the data from the Revenue side of the handout (emailed to delegates after meeting). Retail sales tax decreases as discretionary spending decreases, which affects how much retail sales tax goes into the DSHS budget. The rising cost of food means there is less money for discretionary spending.

Governor Gregoire has just released an expectation for a 1% budget cut across the board, which does not affect education funds. Budget cuts for DSHS are inevitable since we make up a third of the state’s general fund budget.

Within DSHS, twelve percent of the budget is spent on staff and eighty percent goes to vendors (hospitals, doctors, health care vendors). Ninety percent of departmental expenditures are federal funds or state funds tied to federal funds. If we cut \$1.7 billion in state funds, it removes \$1.7 billion in federal funds, too. Whatever happens with the state economy, the federal government’s commitment to bail out and stimulate the economy will also dry up federal funds.

Marilyn S. thanked Stan for his presentation, saying it’s important to see the sources of revenue and where they are spent. She said the budget in Indian Country mirrors that at the state level. Her tribe is looking at priorities to see what subsidies can maintain and where they will have to cut. Medical, social and human services are high cost. She

appreciates that when there are meetings with DSHS and tribes, we look at ways to save money by teleconferences, etc.

June said she had been looking at how to be strategic in the money available to her, but sees she is not thinking big enough and needs to think about the next three years. Our neighboring states, as well as others across the country, are experiencing the same or worse fiscal conditions.

Jim Sijohn also expressed his appreciation to Stan for the information he presented, saying in the years he's been on IPAC, he has never seen a speaker make the group so quiet. He said a lot of eastern Washington's income is from timber. The declining housing industry affects the timber industry, which has had to face some layoffs. He pointed out tribal gaming does contribute to our state revenue, but gaming revenue is also starting to decrease.

Part of the State's lottery money goes to schools, but Jim says the public school on the Spokane reservation school has not gotten any. Stan will send an answer to the group through Colleen about where the Lottery money goes. Jim also asked Stan to find out how much goes to Wellpinit school district, how much the tribes contribute, and about pull tabs.

(From the State Lottery web page here is what (Stan) found:

For FY 07

• 61.4%	Prizes	\$304.8 Million
• 20.5%	Education Construction Account	\$101.9 Million
• 6.3%	Retailer Commissions	\$ 31.2 Million
• 6.1%	Cost of Sales	\$ 30.5 Million
• 2.4%	Administration	\$ 11.9 Million
• 1.7%	Stadium and Exhibition Center Funding	\$ 8.2 Million
• 0.9%	King County (Safeco Field)	\$ 4.5 Million
• 0.6%	Economic Development	\$ 3.0 Million
• 0.05%	Problem Gambling	\$ 0.2 Million
	Total Annual Proceeds	\$496.3 Million

From this. . .summarize the following:

• Cost of operating Lottery (Prizes and operations)	\$378.6 Million
• Funds returned for public purpose	\$117.6 Million)

The one percent cut will save \$336 million from the state's budget. That, added to the \$500 million from the Rainy Day Fund, will total a savings of \$835 million. The budget surplus for the biennium is about 1.2 billion, which subtracted from the deficit of \$3.2 billion leaves a \$2 billion shortfall in all state agencies. DSHS' portion is about half of that total. With the DSHS budget being \$10 billion, losing a billion is ten percent of our budget lost. In addition to that, caseloads increase when the economy is bad.

Stan will return in January to provide an update.

### **Juvenile Rehabilitation Administration (JRA)**

Monica Reeves, M.Ed., Tribal Liaison

Monica reported at last IPAC about the Intergovernmental Agreement with Colville to allow their tribal court to refer youth to JRA for treatment. JRA has since signed agreements with Skokomish and Quinault. As part of that, JRA started an oversight committee to look at process and procedures. There have been no referrals yet, but this committee will plan for what will happen so there are no surprises when they do receive a referral.

JRA read the disproportionality report and, given the number of native youth in the system, noticed JRA's numbers are drastically lower. They surveyed youth at Naselle, where their records identified five youth as American Indian. The survey identified forty-one youth with tribal affiliations. Naselle is updating its records to reflect accurate numbers and JRA will follow up at the other institutions.

JRA normally identifies ancestry through a "diagnostic" process, where they meet with the youth and the family to record his or her history and needs, including mental health and substance abuse. Monica is developing a new diagnostic form which, if the family or youth discloses tribal affiliation, JRA will send to the tribe asking for the youth's tribal history. Working with workgroups and stakeholders, they revised the existing form to identify more youth on entry into the system and help to better serve them. Monica will present at the next CA/JRA subcommittee meeting, and after that she hopes to share it with IPAC. JRA staff will complete the form with every youth that enters the system.

JRA has twenty-two Community Juvenile Accountability Grant contracts, up from eighteen last year. Due to the budget, staff have reduced their travel but still intend to visit the tribes.

Nancy reported the House and Senate unanimously passed bill 6983, which allows tribes direct access to IV-E. President Bush signed the bill into law October 7. There will be discussion at NCAI. There are several major components and analysis is ongoing. Tribes will be able to identify their service area and the individuals they will serve. With direct access to services, tribes will be able to engage and operate full tribal IV-E programs. The rules are not yet written. Tribal access will take effect in 2010 with very limited funding of \$15 million.

Also directed to states, but related to tribes, will be recognition of kinship placements and guardianship placements as a permanency plan. Many tribes do not recognize termination of parental rights, but it would allow for permanency in kinship placement.

NCAI will meet October 20 in the evening at the Phoenix Hyatt.

Nancy also said the Memorandum of Agreement related to Definition of Indian Child is available through Nancy or Colleen, and is on the CA website.

## **Health and Recovery Services Administration (HRSA) Subcommittee**

Jennifer LaPointe, Bob Brisbois

Bob introduced Sandra Mena, Greg Twiddy and Deb Sosa.

HRSA has asked for feedback from IPAC Executive Committee about the definition of a traditional healer and about culturally relevant services. They will discuss at the next HRSA subcommittee meeting how to determine these with the mental health providers around the state.

At the delegate-only meeting at Swinomish at the end of August, they discussed the meeting format and priorities and agreed to meet quarterly with state staff the month prior to IPAC (December, March, June and September). They also requested that HRSA staff attend for the entire day, since many elements cross Division boundaries. The meetings would last six hours. The other eight months just the tribal delegates would meet.

In August, the HRSA subcommittee identified priorities, including billing codes. A workgroup will develop a position paper about the issue. The second priority is to work on the licensure and crosswalk with WAC and IHS requirements, to include a position paper on co-occurring licensure with DOH.

The committee asked for tribal hosts for tribal only meetings, complete with conference call capability. HRSA staff will devise a yearlong schedule of meetings so delegates can plan to either attend or call in.

HRSA is working with the University of Washington to develop the ethnic minority mental health designation but was asked to work with a tribal college instead. They want to develop a complete curriculum and training. Deb will follow up.

David Weston said the Mental Health Division will provide a one hundred-hour training focused on the Native American Specialist. They will identify the curriculum and ensure the training is completed over the next year. Jennifer said they had asked for a policy change allowing tribes to contract as a mental health specialist if they have a contract. Colleen said issues can end up on the matrix when the Assistant Secretary and Colleen review 7.01 plans to identify issues to work on statewide.

HRSA has not received a formal response about the October 2 meeting with CMS. They reviewed some tribal policies related to mental health and co-occurring disorder programs and raised questions about monitoring and quality assurance. HRSA has not received a formal report. There will be an all-day forum by spring to discuss the outcomes.

Ronda said she had gotten a list of people in Washington certified for Access to Recovery and noticed only three places in were certified to accept the vouchers. She has the information if people want to get their programs certified.

June reported the program requires a lot of paperwork and is tedious, but has no financial eligibility criteria. It's easier than ADATSA and pays for group, individual, and residential programs, even cultural specialists. There is finite funding per event, but it is a very good resource. June's program is billing outpatient ADATSA there now.

Marilyn S. said the ESA subcommittee had identified some programs under HRSA that crossed over. She stated the need to discuss the programs with both subcommittees and had asked that Sarah Colleen work with someone on the HRSA subcommittee to track the issues on both matrices. She noticed in looking at the HRSA newsletter, the item about Apple Health eligibility should involve both HRSA and ESA for access and eligibility. Jennifer said she didn't know if that conversation had occurred, but at the HRSA subcommittee they had also discussed the need to meet with ESA about eligibility and other issues.

Bob suggested the need for a new workgroup to work with both administrations and said they would work to get both subcommittees' meetings in the same location two days in a row to work on the cross over.

Deb reported Provider 1 had changed the date for the security training to October 23<sup>rd</sup> and passed around copies of the updated newsletter and a registration flyer.

Colleen is working with the Mental Health Transformation Grant to carry the funding over for a spring conference. She passed around a volunteer sign up sheet.

Jennifer said the Apple Health bus visited Puyallup on September 4, but it was a disappointing experience. They had provided no advertising to the tribe, saying they had advertised in the newspaper. As a result, they only signed up two people during their visit.

Liz reported tribal leaders had met with the Department of Early Learning (DEL) in September; they are looking at policies and developing their own Advisory Committee. This may provide a cross over opportunity for some delegates

### **Legislative Subcommittee**

Jennifer LaPointe, Phillip Ambrose, III, Christine Molnes

John Stephens and Marilyn Scott have joined the Legislative Subcommittee, so they will have regular conference calls.

Phil provided the updates from the Matrix. A key point is that the delegates relay the information back to the tribal lobbying system. IPSS uses its IPAC distribution list to get the word out. Key areas are documented on pages 1 and 2 of the matrix. On the right side are internet sites to visit to find the legislation, information, etc. The links are active in the electronic version, which can be found at the IPSS website [www.dshs.wa.gov/ipss/](http://www.dshs.wa.gov/ipss/).

Christine Molnes is the Legislative Impact Administrator for DSHS. Packets included handouts to share with tribal legislative staff, including the Office of Government and

Community Relations' organization chart and the list of DSHS legislative coordinators. There were also details about the request legislation process timeline.

DSHS provides Z bills to the governor for consideration. Phil asked delegates to look at the Z bills and take them back to tribal legislative staff and subcommittees. He reminded delegates that the Legislative committee only routes information and does not have power to influence the process or outcome. As the legislative session begins, Phil will distribute information to the delegates and asks that they distribute it to tribal staff.

June asked about the HRSA matrix; she would like to add to the matrix defining provider terms in the Medicaid state plan that are other than those the tribes use. Jennifer requested that the HRSA subcommittee add the minority mental health specialists issue to the December agenda.

Ed said there's a problem when a child is incarcerated; neither Medicaid nor the county will pay for healthcare during the incarceration, and he asked if there is a process to have the state pay for the medical services. Ed has received calls from law enforcement officials saying that they will release a youth with health issues rather than pay for healthcare. Jennifer agreed to look into it. She has discussed the issue in the past with Washington State Patrol and Washington Sheriffs. She said her tribe provides mental health services to Native American kids at Raymond Hall through grant funds and don't bill Medicaid. IHS also doesn't allow them to pay for it. Deb will check with Roger and let the group know what she finds out. *(Deb later emailed the following: "There is not legislation currently. HRSA was asked to do a feasibility study to turn into the leg ESHB 2687 Budget Proviso. Due Nov 1<sup>st</sup> from HRSA to leg. Watch - Corrections & Human services committee.")*

### **American Indian Administrative Policy 7.01**

Colleen said all DSHS administration policies have a two year sunset review. She asked the delegates to read through the policy by January so we can proceed with the review.

### **IPAC Annual Report**

In July Colleen had asked for comments to the electronic version of the first Annual Report, but she didn't receive any comments. Group consensus is that it is important to complete the annual report for potential submission in January. Colleen asked delegates to read the document and respond to her by November 7.

Marilyn said it is important to share the final report with DSHS and the tribes to show the work of IPAC. It would also allow those who cannot participate in all the subcommittees a snapshot of what they have worked on. She appreciates the work that has been put into the report. Sharing the annual report with tribes could help show the importance of allowing delegates to attend subcommittee meetings.

### **Miscellaneous**

SAMSHA Children's Mental Health received a \$1 million grant, Yakama Valley Youth and NPAIHB all received grants. Check with Colleen for details.

Marilyn thanked Colleen for including in the packets the invitation to the Tribal State Health Summit at Little Creek. AIHC will also invite state representatives and tribal leaders.

Jim Sijohn closed the meeting at 3:30 with a prayer of thanks.